

**COMMISSIONERS COURT
NOVEMBER 24, 2009**

**STATE OF TEXAS
COUNTY OF ROCKWALL**

**BE IT REMEMBERED THERE WAS HELD A REGULAR MEETING OF
THE COMMISSIONERS COURT ON THE ABOVE DATE WITH THE FOLLOWING
MEMBERS OF THE COURT PRESENT:**

CHRIS FLORANCE	COUNTY JUDGE
JERRY WIMPEE	COMMISSIONER PCT #1
LORIE GRINNAN	COMMISSIONER PCT #2
DENNIS BAILEY	COMMISSIONER PCT #3
DAVID MAGNESS	COMMISSIONER PCT #4
LEA CARLSON	CHIEF DEPUTY COUNTY CLERK

THE MEETING WAS CALLED TO ORDER BY JUDGE FLORANCE AT 9:00AM.

THE INVOCATION WAS GIVEN BY COMMISSIONER WIMPEE.

THE PLEDGES OF ALLEGIANCE TO THE UNITED STATES FLAG AND
TO THE TEXAS FLAG WERE LED BY COMMISSIONER GRINNAN.

NO GUESTS WERE PRESENT THAT WISHED TO BE RECOGNIZED OR ADDRESS
THE COURT.

ITEM #1

THE MOTION WAS MADE BY COMMISSIONER GRINNAN, SECONDED BY
COMMISSIONER WIMPEE WITH THE COURT VOTING 5-0 IN FAVOR OF
REAPPOINTING NANCY ERVIN TO THE LAKES REGIONAL BOARD OF TRUSTEES.

ITEM #2

THE MOTION WAS MADE BY COMMISSIONER BAILEY, SECONDED BY
COMMISSIONER WIMPEE WITH THE COURT VOTING 5-0 IN FAVOR OF
RELEASING THE MAINTENANCE BOND FOR HIGH POINT LAKE ESTATES,

SECTION II. THIS COURT ACTION DOES NOT ACCEPT THE ROADS UNTIL WHEN THE REMAINING MAINTENANCE ITEMS HAVE BEEN COMPLETED AND INSPECTED BY THE ROAD AND BRIDGE ADMINISTRATOR, THE COMMISSIONERS COURT WILL TAKE ACTION TO ACCEPT THE ROADS. COMMISSIONER BAILEY STATED THAT THE CONCRETE REPAIRS HAVE BEEN COMPLETED AND INSPECTED BY THE ROAD AND BRIDGE DIRECTOR PAT NESMITH, BUT THE DRAINAGE WORK NEEDS TO BE COMPLETED BEFORE THE COUNTY SHOULD ACCEPT THE ROADS.

ITEM # 3

NO ACTION WAS TAKEN REGARDING THE ROCKWALL COUNTY VETERANS MEMORIAL.

ITEM #4

NO ACTION WAS TAKEN REGARDING ROADS OR ROAD BOND ISSUES.

ITEM #5

NO ACTION WAS TAKEN REGARDING THE 2010 CENSUS.

ITEM #6

COMMISSIONER MAGNESS ASKED THE COURT TO RETURN TO THIS ITEM AFTER THE WORKSHOP TODAY.

ITEM #7

NO ACTION WAS TAKEN REGARDING THE NEW COURTHOUSE ARCHITECTURAL/CONSTRUCTION MANAGEMENT/CHANGE ORDERS. COMMISSIONER BAILEY STATED THAT THE INFORMATION FOR CONTRACTORS

WHO ARE INTERESTED IN THE NEW COURTHOUSE PROJECT IS POSTED ON THE ROCKWALL COUNTY WEBSITE.

ITEM #8

THE COURT WILL RETURN TO THIS ITEM AFTER THE WORKSHOP TODAY.

ITEM #9

THE MOTION WAS MADE BY COMMISSIONER MAGNESS, SECONDED BY COMMISSIONER GRINNAN WITH THE COURT VOTING 5-0 IN FAVOR OF APPROVING A CHANGE ORDER FROM HILL & WILKINSON DECREASING THE TOTAL CONTRACT AMOUNT FOR THE COUNTY SERVICES BUILDING TO 236,500.00.

ITEM #10

ROCKWALL COUNTY SHERIFF'S OFFICE REPRESENTATIVE CHIEF GOELDEN GAVE THE COURT AN OVERVIEW OF THE PROPOSED ADDENDUM TO THE INTERLOCAL AGREEMENT WITH THE CITY OF FATE FOR LAW ENFORCEMENT SERVICES. THE ADDENDUM DECREASES THE AMOUNT OWED BY THE CITY OF FATE BY \$9,273.00. THE MOTION WAS MADE BY COMMISSIONER MAGNESS, SECONDED BY COMMISSIONER GRINNAN WITH THE COURT VOTING 5-0 IN FAVOR OF APPROVING THE ADDENDUM TO THE INTERLOCAL AGREEMENT.

ITEM #11

THE MOTION WAS MADE BY COMMISSIONER BAILEY, SECONDED BY COMMISSIONER WIMPEE WITH THE COURT VOTING 5-0 IN FAVOR APPROVING AN AGREEMENT WITH CMJ ENGINEERING, INC. TO PROVIDE GEOTECHNICAL

SULFATE TESTING SERVICES FOR THE NEW COUNTY COURTHOUSE AT A
MAXIMUM COST OF \$900.00.

ITEM #12

EXECUTIVE SESSION: 9:15 A.M. – 9:30 A.M.

- DISCUSSION OF POTENTIAL AGREEMENT FOR A DONATION TO
ROCKWALL COUNTY, AND ALL RELATED ISSUES;
- DISCUSSION OF PENDING AND POTENTIAL LITIGATION, AND ALL
RELATED ISSUES;

ITEM #13

ACTION OF EXECUTIVE SESSION;

THE MOTION WAS MADE BY COMMISSIONER GRINNAN, SECONDED BY
COMMISSIONER WIMPEE WITH THE COURT VOTING 5-0 IN FAVOR OF
AUTHORIZING A PAYMENT OF UP TO \$200.00 AS A SETTLEMENT TO
REIMBURSE COSTS.

ITEM #14

THE MOTION WAS MADE BY COMMISSIONER GRINNAN, SECONDED BY
COMMISSIONER BAILEY WITH THE COURT VOTING 5-0 IN FAVOR OF

APPROVING THE FOLLOWING CONSENT AGENDA ITEMS:

- a) Minutes of previous meeting(s);
- b) District Clerk, Oct-09 monthly fee report(s);
- c) Co. Clerk, Oct-09 month fee report(s);
- d) J.P. Pct. 2, Oct-09 monthly judicial activity report(s);
- e) Co. Auditor, Approve 90% of contractual amount due to Hill & Wilkinson Construction
Group, Ltd. for renovation services rendered on the County Services Building project in the
amount of \$212,850.00;
- f) Co. Auditor, Approve payment to The Gilbert Construction Group, Inc. for consulting
services related to the County Services Building Project in the amount of \$7,095.00;

ITEM #15

THE MOTION WAS MADE BY COMMISSIONER WIMPEE, SECONDED BY COMMISSIONER MAGNESS TO APPROVE THE FOLLOWING PROPERTY ACQUISITIONS/DISPOSITIONS ITEMS A-E. ROCKWALL COUNTY AUDITOR LISA CONSTANT DISCUSSED WITH THE COURT ISSUES WITH ITEM B AND THE FUND THAT WOULD BE USED FOR THE PURCHASE OF THE 2010 DODGE CHARGER. MS. CONSTANT STATED THAT THE CAR COULD NOT BE PURCHASED ENTIRELY OUT OF THE CAPITAL PURCHASES FUND ORIGINALLY USED TO PURCHASE THE VEHICLE. THE INSURANCE PROCEEDS WILL NOT COVER THE ENTIRE VEHICLE PURCHASE AND ITS EQUIPMENT. THE COURT WILL NEED TO USE CONTINGENCY FUNDS FOR THE DIFFERENCE. COMMISSIONER WIMPEE WITHDREW HIS MOTION. THE MOTION WAS MADE BY COMMISSIONER BAILEY, SECONDED BY COMMISSIONER MAGNESS WITH THE COURT VOTING 5-0 IN FAVOR OF APPROVING THE FOLLOWING PROPERTY.

ACQUISITIONS/DISPOSITIONS:

- A. County Jail purchased from General Fund: Detention surface floor padding @ a quoted cost of \$9,250.00. **(Emergency Purchase)**
- C. Emergency Management to purchase from DOJ Grant Fund: (8) Panasonic CF-52 Toughbook laptops @ a quoted cost of \$15,199.92.
- D. Emergency Management to purchase from DOJ Grant Fund: laptop mounts and power supplies @ a quoted cost of \$4,974.24.
- E. Emergency Management to purchase from DOJ Grant Fund: wireless access for laptops @ a quoted cost of \$4,127.04.

THE MOTION WAS MADE BY COMMISSIONER GRINNAN, SECONDED BY COMMISSIONER BAILEY WITH THE COURT VOTING 5-0 IN FAVOR OF APPROVING THE FOLLOWING PROPERTY ACQUISITION/DISPOSITION:

- B. Purchase of a 2010 Dodge Charger including associated equipment and delivery @ an estimated cost of \$28,500.00 for the Rockwall County Sheriff to be taken out of the contingency fund.

ITEM #16

THE MOTION WAS MADE BY COMMISSIONER MAGNESS, SECONDED BY COMMISSIONER WIMPEE WITH THE COURT VOTING 5-0 IN FAVOR OF APPROVING THE FOLLOWING NON-EMERGENCY BUDGET TRANSFERS(S):

2010-06 - Transfer \$11,033 of budgeted funds for General Government **TO** Capital Improvements **FROM** Contingency resulting from the repair of the parking lot at the County Annex building which was approved in Commissioners Court on November 10, 2009.

2010-07 – Pulled by County Auditor.

2010-08 - Transfer \$13,925 of budgeted funds for Grant Expenditures **TO** SCAAP Grant @ \$2,494 & TCEQ Grant @ \$11,431 **FROM** General Government/Contingency to adjust expenses to actual revenue received.

ITEM #17

THE MOTION WAS MADE BY COMMISSIONER WIMPEE, SECONDED BY COMMISSIONER GRINNAN WITH THE COURT VOTING 4-0 IN FAVOR OF APPROVING PAID CLAIMS IN THE AMOUNT OF \$338,778.99. COMMISSIONER BAILEY ABSTAINED. THE MOTION WAS MADE BY COMMISSIONER MAGNESS, SECONDED BY COMMISSIONER WIMPEE WITH THE COURT VOTING 5-0 IN FAVOR OF APPROVING UNPAID CLAIMS IN THE AMOUNT OF \$527,200.58. THE MOTION WAS MADE BY COMMISSIONER GRINNAN, SECONDED BY COMMISSIONER BAILEY WITH THE COURT VOTING 5-0 IN FAVOR OF

APPROVING PAYROLL IN THE AMOUNT OF \$491,420.69 FOR THE PAY PERIOD ENDING NOVEMBER 14, 2009.

*JUDGE FLORANCE RECESSED THE MEETING AT 9:40 A.M. UNTIL AFTER THE WORKSHOP.

*JUDGE FLORANCE RECONVENED THE MEETING AT 11:35 A.M.

ITEM #8 RE-ADDRESSED

THE MOTION WAS MADE BY COMMISSIONER WIMPEE, SECONDED BY COMMISSIONER MAGNESS WITH THE COURT VOTING 5-0 IN FAVOR OF APPROVING THE RESTRUCTURING OF THE COUNTY TREASURER'S OFFICE AS PRESENTED BY COUNTY TREASURER BILL SINCLAIR. THE COURT DISCUSSED THE SPECIAL REASONS THAT THE COUNTY TREASURER DID NOT PRESENT THE PROPOSED CHANGES TO THE TREASURER'S OFFICE DURING THE COUNTY BUDGET PLANNING PROCESS. THE COURT DISCUSSED THE PRESENT AND FUTURE POSITIONS THAT WILL BE AVAILABLE IN THE COUNTY TREASURER'S OFFICE. THE APPROVED CHANGES, RESULTING IN AN ESTIMATED \$17,521 SAVINGS FOR THE BALANCE OF THE FISCAL YEAR, INCLUDED (1) POSTPONING FILLING THE POSITION OF CHIEF ASSISTANT FOR THE BALANCE OF THE FISCAL YEAR; (2) UPGRADING THE TWO FULL TIME CLERICAL POSITIONS FROM GRADE 4 CLERK TO GRADE 10 TREASURY ACCOUNTANT AS SPECIFIED IN THE PRESENTATION AND (3) UPGRADING THE PART TIME GRADE 4 CLERK POSITION TO FULL TIME GRADE 10 TREASURY ACCOUNTANT AS SPECIFIED IN THE PRESENTATION AND ELIMINATING THE

PART TIME POSITION. THESE CHANGES ARE TO BECOME EFFECTIVE
JANUARY 4, 2010.

ITEM #6 RE-ADDRESSED

COMMISSIONER MAGNESS STATED HE WOULD OBTAIN A DRAWING OR
SKETCH OF THE PROPOSED CHANGES TO THE COUNTY SERVICES BUILDING.
THE COURT DISCUSSED WITH THE ROCKWALL COUNTY SHERIFF HAROLD
EAVENSON HIS RECOMMENDATION OF THE FUTURE LOCATION OF THE
EMERGENCY CONTROL CENTER FOR THE NEW ROCKWALL COUNTY
COURTHOUSE. SHERIFF EAVENSON RECOMMENDED THE CONTROL CENTER
BE LOCATED AT THE SHERIFF'S OFFICE FROM A SECURITY STANDPOINT.

ITEM #18

THERE BEING NO FURTHER BUSINESS BEFORE THE COURT, JUDGE
FLORANCE ADJOURNED THE MEETING AT 11:58 A.M.

LEA CARLSON, CHIEF DEPUTY
ROCKWALL COUNTY CLERK